

GOTTLIEB & ASSOCIATES PLLC
ATTORNEYS

150 E. 18 St., Suite PHR, New York, NY 10003

212 228-9795 www.gottlieblaw.net

October 2, 2024

VIA ECF

The Honorable Arun Subramanian
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

The request for an adjournment is GRANTED in part. The complaint was filed on July 3, 2024, which means plaintiff has had three months to effectuate service. So, delaying things another two months wouldn't seem helpful to the resolution of this matter. By October 9, 2024, plaintiff should effectuate service. Failure to effectuate service by this date may be grounds for dismissal under Fed. R. Civ. P. 41(b). The initial pre-trial conference is rescheduled to October 30, 2024 at 3:30 pm.

The Clerk of Court is requested to terminate the motion at Dkt.8.

SO ORDERED.



Arun Subramanian, U.S.D.J.

Dated: October 3, 2024

Dear Judge Subramanian,

The undersigned represents Emanuel Delacruz, on behalf of himself and all other persons similarly situated (“Plaintiff”) in the above referenced matter against Defendant, Rifle, LLC, (“Defendant”). The undersigned respectfully requests that the Initial Conference scheduled for October 8, 2024, at 2:15 p.m (Dkt. 3) be adjourned for 60 days because service has not yet been effectuated and Counsel for Defendant has not yet answered or appeared in this action. This request will grant ample time for the Defendant to appear and discuss a possible resolution with Plaintiff’s Counsel. The Plaintiff also requests a 30 day extension for service to be effectuated because although we have been unsuccessful, we are confident that they will be served within the extended time period. The Defendant has also received courtesy copies of the Summons, Complaint, as well as Your Honor’s Initial Conference in this matter via-email. This is the Plaintiff’s first request for an extension.

Respectfully submitted,

GOTTLIEB & ASSOCIATES PLLC

/s/Michael A. LaBollita, Esq.
Michael A. LaBollita, Esq.